



MINUTES OF THE COMMON COUNCIL

TUESDAY, FEBRUARY 3, 2015, 7:00 P.M.

COUNCIL CHAMBERS

ROOM 203, CITY HALL

Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, City Attorney James Mueller. Alderpersons: J. Wiezbiskie, Thomas DeWane, Tim DeWane, D. Nennig, J. Moore, R. Scannell, C. Wery, M. Steuer, T. Sladek. Excused: None. Tardy: A. Nicholson, G. Zima, B. Danzinger.

Boy Scout Troops 1095, 1172 and 4173 led the pledge of allegiance.

Mayor Schmitt led the invocation.

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to approve the minutes of the January 20, 2015, meeting. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Nennig to approve the agenda. Moved by Ald. Scannell, seconded by Ald. Thomas DeWane to move the Protection & Welfare Committee Report after the Plan Commission Report. Motion carried. Moved by Ald. Moore, seconded by Ald. Steuer to approve the agenda as amended. Motion carried.

REPORT BY THE MAYOR

The Mayor read a proclamation declaring Friday as "Wear Red Day". Kaela Gedda from the WI Chapter of the American Heart Association was present.

ANNOUNCEMENT

The City Clerk announced that the next Common Council meeting will be on Monday, February 16 due to the Spring Primary election on Tuesday, February 17.

PRESENTATION

Mayor Schmitt presented a check to Jen VandenElzen, Executive Director of Live 54218. Also present were Chris Gindlespurger, American Beverage Association, Kelly McDowell, WI Beverage Association, Rick Junion, Coke, Perry Hunsader, Pepsi, and Randy Wissink, Seven Up.

PUBLIC HEARING

Zoning Ordinance No. 1-15

An ordinance zoning certain land generally located north of Finger Road, west of Northview Road, south of Catalina Drive, and east of Erie Road as a Planned Unit Development District.

The following people spoke against the ordinance:

Debby Cesar, 365 S. Grandview Road,

Jim Grzeca, 3667 Finger Road,

Shirley Triest-Robertson, 450 Erie Road,

Brad Baldschun, 311 Erie Road, representing his father, Jack Baldschun,

Jackie Grzeca, 3667 Finger Road,

Barbara Brebner, 228 Erie Road,

Jerry Brebner, 228 Erie Road.

The following people spoke in favor of the ordinance:

Tina Bunker, 825 S. Huron Road,

Matt Lemay, 123 N. Broadway.

Moved by Ald. Moore, seconded by Ald. Thomas DeWane to suspend the rules for the purpose of acting on the ordinance. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to suspend the rules to allow interested parties to speak. Motion carried.

Jim Grzeca talked about another petition that was being circulated.

Moved by Ald. Wery, seconded by Ald. Wiezbiskie to return to the regular order of business. Motion carried.

PETITIONS & COMMUNICATIONS

ADVISORY COMMITTEE

Request by Ald. Tim DeWane to consider the following:

- A. Terminating our animal contract with Packerland Veterinary Clinic.
- B. Awarding the animal contract back to Bay Area Humane Society.
- C. Contracting out our Animal Control Division.

COMMUNITY DEVELOPMENT/INSPECTION DEPARTMENTS

Request by Ald. Steuer to have a monthly City Inspection Report distributed to each alderperson that would show the various projects, issues, or problems existing in each district.

FINANCE COMMITTEE

Request by Ald. Nicholson that the City consider the purchase of the southwest corner of University and Irwin Avenues.

IMPROVEMENT & SERVICE COMMITTEE

Applications for Tree & Brush Trimmer Licenses by the following:

- A. Ripley's Stump Grinding
- B. Wright Tree Service, Inc.

Applications for Concrete Sidewalk Builder's Licenses by the following:

- A. Fischer Ulman Construction, Inc.
- B. Larry VanRite Truck & Excavating, Inc.
- C. Louie's General Construction & Concrete

PERSONNEL COMMITTEE

Request by Ald. Moore for a review of the Hook & Ladder Program for expansion and review of the fee structure and expansion to all City hospitals.

PLAN COMMISSION

Request by Ald. Wery to clearly define the protest petition requirements.

PROTECTION & WELFARE COMMITTEE

Application for a "Class B" Combination License by Thunder Kitten, LLC at 1423 S. Broadway. (Currently Chanmina, LLC)

Moved by Ald. Scannell, seconded by Ald. Steuer to refer the petitions and communications to the appropriate committee or commission. Motion carried.

REPORTS FOR COUNCIL ACTION

Report of the Green Bay Plan Commission February 3, 2015

The Green Bay Plan Commission, having met on Monday, January 26, 2015, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve a Conditional Use Permit (CUP) for a material recovery facility (minor) in a General Commercial (CI) District located at 1826 North Irwin Avenue, subject to the following:
 - A. Standards set forth in 13-1607(d).
 - B. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan review and approval.
 - C. The front façade of the building shall be improved to have a consistent durable exterior and complementary colors. Other street facing façades shall be improved to complement the other portions of the building which may include painting and/or durable siding.
 - D. Any necessary approvals by the Wisconsin Department of Natural Resources (WDNR) regarding the de-manufacturing and disassembly of product.
 - E. Compliance with flood-protection standards in Chapter 13-1300, Floodplain Overlay District.
 - F. The submitted operations plan.
2. To amend Chapter 13-800 to permit self-service storage units within the General Commercial (C1) District, subject to the following amendment to Chapter 13-814, Table 8-3, uses accessory to nonresidential uses, subject to:

Self-service storage units are considered an accessory use with the approval of a Conditional Use Permit (CUP) within the General Commercial (C1) District, subject to the following standards:

- A. No unit shall have an individual external entrance; instead, units shall share common entrance(s) and internal hallways.
- B. The self-service storage use shall not exceed 30 percent of the total floor area of a building.
- C. The approved site plan and building plan shall delineate the extent of the self-storage use.
- D. A principal permitted use shall be established prior to creation of a self-storage accessory use.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report with the exception of Item #2. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #2. Motion carried.

REPORT OF THE TRAFFIC COMMISSION February 3, 2015

The Traffic Commission having met Monday, January 19, 2015, considered all matters on its agenda and wishes to report and recommends the following:

1. To receive and place on file the report by the Police Department of the 2014 4th quarter serious injury and fatality crashes.
2. To postpone to the February 16, 2015 Traffic Commission meeting, the request to discuss, with possible action, ways to improve motorist compliance to the 4-WAY STOP signs at Newberry Avenue and Alpine Drive.
3. To receive and place on file the request to change the 1 HOUR PARKING 7 AM TO 4 PM SCHOOL DAYS zone on Deuchert Street to a PARKING BY RESIDENTIAL PERMIT ONLY zone so residents can park on-street during the school day.
4. To remove and adopt by ordinance the 2-HOUR PARKING 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the north side of Eliza Street from Clay Street to Roosevelt Street.
5. To remove and adopt by ordinance the NO PARKING zone on the west side of Chestnut Avenue from and including the cul-de-sac south of Dousman Street to Mather Street.
6. To establish and adopt by ordinance a NO PARKING zone on the west side of Chestnut Avenue from and including the cul-de-sac south of Dousman Street to James Street.
7. To remove and adopt by ordinance the NO PARKING BUS LOADING ONLY 7:00 AM – 4:00 PM SCHOOL DAYS zone on the south side of Ninth Street from a point 200 feet west of Ridge Road to a point 100 feet west of Ridge Road.
8. To establish and adopt by ordinance a NO PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone on the south side of Ninth Street from a point 200 feet west of Ridge Road to a point 100 feet west of Ridge Road.

9. To remove and adopt by ordinance the NO PARKING zone on the south side of Ninth Street from a point 100 feet west of Ridge Road to a point 100 feet east of Ridge Road.
10. To establish and adopt by ordinance a NO STOPPING OR STANDING zone on the south side of Ninth Street from a point 100 feet west of Ridge Road to a point 100 feet east of Ridge Road.
11. To rescind the removal of the 4-WAY STOP condition on Paula Street and Peterson Road at Kathy Drive.
12. To rescind the establishment of a 2-WAY STOP condition on Paula Street and Peterson Road at Kathy Drive.
13. To establish and adopt by ordinance a NO PARKING zone at the west terminus of Mary Queen Road.

Moved by Ald. Moore, seconded by Ald. Scannell to adopt the report. Motion carried.

REPORT OF THE FINANCE COMMITTEE FEBRUARY 3, 2015

The Finance Committee, having met on Wednesday, January 28, 2015 considered all matters on its agenda and wishes to report and recommends the following:

1. Hold until next meeting the request by Ald. Tim DeWane to look at the cost and feasibility of contracting out the animal control division within the City.
2. Hold until next meeting the request by Ald. Wery that the Mayor and staff provide documentation for “approval and purchase” of the Clarion Hotel, showing when public debate and vote were held and the purchase price.
3. Hold until next meeting the request by Ald. Nicholson the review of the total number of lawsuits since 2002 broken down by year that shows the cost of each lawsuit per year, brief description of the lawsuit, the amount paid in attorney fees, and the cost of the lawsuit.
4. To receive and place on file the request by the City Attorney’s Office to the report of the claims committee.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report. Motion carried.

REPORT OF THE

IMPROVEMENT AND SERVICE COMMITTEE

February 3, 2015

The Improvement and Service Committee, having met on January 27, 2015 considered all matters on its agenda and wishes to report and recommend the following:

1. To hold until the next regularly scheduled Committee meeting, the request by Ald. Wiezbiskie, on behalf of a constituent, to develop a City ordinance with reference to bill posting, i.e. affixing, distributing, posting handbills.
2. To approve the request by Ald. Zima, on behalf of the owner of Lucky 7's, 1313 S. Broadway, to approve an annual overnight parking exemption for employees' safety when they work until approximately 3:45 a.m.
3. To approve the request by the Department of Public Works to award contract for miscellaneous Architecture and Engineering services to Berner-Schober Associates Inc. for 2015-2016.
4. To approve the 2015 Department of Public Works service rates.

Moveouts and Bulk Collection Charges:

≤3CY	\$70.00 each stop
>3CY but ≤10CY	\$140.00 each stop
>10CY	\$210.00 each stop

Construction/Demolition Materials:

\$49.00 per cubic yard

Appliance Collection:

\$35.00	Refrigerators and freezers
\$25.00	All other appliances

Recycling and Trash Carts:

\$60.00	64-gallon
\$60.00	96-gallon

Early Set-Out:

Minimum	\$60.00
Hourly	\$154.25

Asphalt Pavement Repair:

Concrete Base Street	\$46.30/SY
Gravel Base Street	\$92.20/SY

Snow and Ice Control on Public Sidewalks:

\$0.15 per lineal foot plus \$52.00 administrative charge per parcel

Weed Cutting:

Fixed charge per parcel	\$45.00
Plus labor per hour	\$35.00
Plus equipment per hour	\$31.00
Minimum charge-1/4 hour	\$61.60

5. To approve the applications for Tree & Brush Trimmer Licenses by the following:
 - A. A-1 Tree Service, Inc.
 - B. A Four Season Tree Care
 - C. Casey's Tree Service, LLC.
 - D. Economy Tree Service
 - E. Fall-Rite Services
 - F. Holtger Bros., Inc.
 - G. Hutch
 - H. Trugreen

Moved by Ald. Wiezbiskie, seconded by Ald. Thomas DeWane to adopt the report.
Motion carried.

REPORT OF THE PERSONNEL COMMITTEE

February 3, 2015

The Personnel Committee met on Wednesday, January 14, 2015 with the following item held over from the January 20, 2015 City Council meeting:

1. Update and discussion on labor negotiations.
 - a. Bus Mechanics
 - b. Firefighters
 - c. Police Supervisory Personnel

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report.
Moved by Ald. Moore, seconded by Ald. Scannell to convene in closed session.
Roll call: Ayes: Thomas DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: Wiezbiskie, Nicholson, Tim Dewane. Motion carried.

Ald. Moore read the following:

The Council may convene in closed session pursuant to Sec. 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. The Council may thereafter reconvene in open session pursuant to Sec. 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to reconvene in open session.
Motion carried.

Moved by Ald. Moore, seconded by Ald. Scannell to direct staff to proceed as discussed regarding Items #1a & 1b. Motion carried.

Moved by Ald. Moore, seconded by Ald. Wiezbiskie to approve Item #1c.

Roll call: Ayes: Wiezbiskie, Nennig, Moore, Scannell, Danzinger, Sladek. Noes:

Thomas DeWane, Nicholson, Tim DeWane, Wery, Zima, Steuer. Motion tied with the Mayor casting the deciding aye vote.

REPORT OF THE PERSONNEL COMMITTEE

February 3, 2015

The Personnel Committee, having met on Wednesday, January 28, 2015 considered all matters on its agenda and reports and recommends the following:

1. To approve the minutes from the meetings held on January 13, 2015 and January 14, 2015.
2. To approve the following contract agreements for the 2015 calendar year with a 2% general salary increase effective with the start of the pay period in which October 1, 2015 occurs.
 - a. City of Green Bay Parks and Forestry Labor Association
 - b. City of Green Bay Department of Public Works Labor Association
3. To hold until the next meeting the request to approve contracting for an attorney to advise the Council on any issue at a contract salary of \$30,000 per year.
4. To receive and place on file the request to have Human Resources solicit request for bids (RFPs) from outside consultants to conduct a broad study of the Green Bay Police Department to include reviewing and recommending potential operational and organizational changes to be more cost effective, including providing pros and cons on whether sergeants should be incorporated into the department at a cost not to exceed \$50,000. Prior to proceeding with the study, the results of the RFP process will be brought back to the Committee and Council for approval.
5. To refer to the City Attorney's office the review of how outside legal counsel is selected and whether illegal campaign donations from law firms preclude them from contracting with the City.
6. To approve the request to post all campaign finance reports on the City's web site.
7. To refer to the City Council as a whole the resolution recognizing religious liberty and diversity of belief by safeguarding the trust of religious institutions and their congregants.
8. To receive and place on file the report on employees that were or are on paid or unpaid administrative leave from December 1, 2014 to present.

9. To receive and place on file the report of routine personnel actions for regular employees.

Agreement Between
City of Green Bay
And
City of Green Bay
Parks and Forestry Labor
Association
2015

Agreement Between
City of Green Bay
And
City of Green Bay Parks and Forestry Labor Association
2015

This Agreement has been made and entered into between the City of Green Bay, hereinafter referred to as the “City” and City of Green Bay Parks and Forestry Association, hereinafter referred to as the “Association”.

ARTICLE 1
RECOGNITION

The City agrees to recognize representatives of City of Green Bay Parks and Forestry Association, as the exclusive bargaining agent for all regular full-time employees in the employ of the Employer in the City of Green Bay Parks, Recreation and Forestry Department excluding temporary, seasonal, supervisory and office clerical employees for all issues specifically addressed in this Agreement.

ARTICLE 2
TERM OF AGREEMENT

This Agreement will become effective as of January 1, 2015 and remain in full force and effect to and including December 31, 2015.

ARTICLE 3
BASE WAGE INCREASE

The salary schedule will reflect a 2% increase across the board base wage increase effective with the first day of the period in which October 1, 2015 occurs.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, this _____ day of January__ 2015.

**City of Green Bay
Association**

Parks and Forestry Labor

Mayor

President

Human Resources Director

Secretary

City Clerk

Attorney for Parks and Forestry Labor
Association

**City of Green Bay Parks and Forestry Labor Association
Wage Schedule**

Position	October 1, 2014 Pay Rate at Start of Year					October 1, 2015 Pay Rate at Start of Year				
	Start	2	8	12	16	Start	2	8	12	16
Park Maintenance Worker Forestry Worker I Stores Clerk	\$20.71	\$21.80	\$21.87	\$21.93	\$21.99	\$21.13	\$22.24	\$22.31	\$22.37	\$22.43
Maintenance Specialist I Forestry Worker II	\$21.63	\$22.77	\$22.84	\$22.90	\$22.96	\$22.06	\$23.23	\$23.30	\$23.36	\$23.42
Maintenance Specialist II	\$22.08	\$23.24	\$23.31	\$23.37	\$23.43	\$22.52	\$23.70	\$23.78	\$23.84	\$23.90
Maintenance Specialist III	\$23.12	\$24.34	\$24.41	\$24.47	\$24.53	\$23.59	\$24.83	\$24.90	\$24.96	\$25.02
Master Licensed Plumber	\$25.50	\$26.84	\$26.91	\$26.97	\$27.03	\$26.01	\$27.38	\$27.45	\$27.51	\$27.57

- For 2015 a 2% wage increase will be effective with the beginning of the payroll period in which October 1, 2015 occurs or September 20, 2015.
- Regular full-time employees start at the base rate which is 95% of the rate at the start of year 2, the employee will move to the rate at the start of year 2 rate upon successful completion of their probationary period.

Agreement Between
City of Green Bay
And
City of Green Bay
Department of Public Works Labor
Association
2015

Agreement Between
City of Green Bay
And
City of Green Bay Department of Public Works Labor Association
2015

AGREEMENT

This Agreement has been made and entered into between the City of Green Bay, hereinafter referred to as the "City" and City of Green Bay Public Works Labor Association, hereinafter referred to as the "Association" pursuant to the provisions of Chapter 11.70 of the Wisconsin Statutes.

ARTICLE 1
RECOGNITION

The City recognizes representatives of City of Green Bay Public Works Labor Association, as the exclusive bargaining agent for all issues specifically addressed in this Agreement, for all its employees in the Department of Public Works as defined in the certification issued by the Wisconsin Employment Relations Board on November 10, 1965 and September 26, 1978.

ARTICLE 2
TERM OF AGREEMENT

This Agreement will become effective as of January 1, 2015 and remain in full force and effect to and including December 31, 2015.

ARTICLE 3
BASE WAGE INCREASE

The salary schedule will reflect a 2% increase across the board base wage increase effective with the first day of the period in which October 1, 2015 occurs.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, this _____ day of January 2015.

**City of Green Bay
Association**

Department of Public Works Labor

Mayor

President

Human Resources Director

Secretary

City Clerk

Attorney for DPW Labor Association

**City of Green Bay Public Works Labor Association
Wage Schedule**

Grade	Job Title	October 1, 2014				October 1, 2015			
		Pay Rate at Start of Year				Pay Rate at Start of Year			
		Base	8	12	16	Base	8	12	16
G-1	Laborer Building Custodian	\$21.42	\$21.51	\$21.63	\$21.73	\$21.85	\$21.94	\$22.06	\$22.16
G-2	Tractor Operator Truck Driver Laborer on Weed Spraying Laborer on Overseeing Welfare	\$21.77	\$21.90	\$22.01	\$22.09	\$22.21	\$22.34	\$22.45	\$22.53
G-3	Sweeper/Flusher Operator Days Sewer Laborer Laborer on Oil Distributor Laborer on Crack Filling Laborer on Hot Patching	\$21.89	\$21.97	\$22.09	\$22.19	\$22.33	\$22.41	\$22.53	\$22.63
G-4	Sweeper/Flusher Operator Nights Laborer on Hot Patch Roller Laborer on Crack Router	\$21.95	\$22.07	\$22.19	\$22.28	\$22.39	\$22.51	\$22.63	\$22.73
G-5	Truck Driver on Crack Filling Truck Driver on Hot Patch	\$22.23	\$22.38	\$22.49	\$22.54	\$22.67	\$22.83	\$22.94	\$22.99
G-6	Sewer Maintenance Worker Shop Helper Equipment Operator	\$22.51	\$22.59	\$22.74	\$22.85	\$22.96	\$23.04	\$23.19	\$23.31
G-7	Welder Equip Operator/Snow Blower Equipment Operator/Backhoe Equipment Operator/Grader Wing (11/15-4/15) Equip Operator/Leader Wing	\$22.84	\$22.93	\$23.01	\$23.10	\$23.30	\$23.39	\$23.47	\$23.56

	w/wing Tub Grinder Backhoe Grade All								
G-8	Equipment Operator Lead Worker Sewer Lead Worker	\$22.9 9	\$23.0 8	\$23.2 4	\$23.3 2	\$23.4 5	\$23.5 4	\$23.7 0	\$23.7 9
G-9	Senior Mechanic	\$23.1 3	\$23.2 5	\$23.4 1	\$23.4 8	\$23.5 9	\$23.7 2	\$23.8 8	\$23.9 5
G-10	Carpenter Mechanic Lead Worker	\$23.6 3	\$23.7 4	\$23.8 7	\$23.9 5	\$24.1 0	\$24.2 1	\$24.3 5	\$24.4 3
B-1	Traffic, Signs and Marking Lead Worker	\$22.6 7	\$22.8 5	\$22.9 4	\$23.0 1	\$23.1 2	\$23.3 1	\$23.4 0	\$23.4 7
	Traffic, Signs and Marking Operator	\$21.9 5	\$22.0 7	\$22.1 9	\$22.2 8	\$22.3 9	\$22.5 1	\$22.6 3	\$22.7 3
	Traffic, Signs and Marking Lab/Lead	\$21.7 7	\$21.9 0	\$22.0 1	\$22.0 9	\$22.2 1	\$22.3 4	\$22.4 5	\$22.5 3
	Traffic, Signs and Marking Labor	\$21.4 2	\$21.5 1	\$21.6 3	\$21.7 3	\$21.8 5	\$21.9 4	\$22.0 6	\$22.1 6

- For 2015 a 2% wage increase will be effective with the beginning of the payroll period in which October 1, 2015 occurs or September 20, 2015 (double check the date).
- All new laborers and building custodians, except for employees transferring from other City departments, will be employed at a starting rate of 85% of the G-1 pay grade for the first 6-months, and 90% of G-1 rate for the second 6-months. Those accepted as regular employees after 12-months of employment, will receive the full rate of pay for the classification of work performed.
- Wage increases at the start of year 8, year 12 and year 16 represent longevity steps.

The Following Guidelines Are Listed For Informational Purposes and Not Subject To Bargaining

1. No employee will suffer a reduction in pay if s/he is required to take a temporary job carrying a lesser rate of pay. Any employee who is required to take temporary jobs of a higher scale will receive the pay of such scale.
2. Sewer maintenance employees on stand-by through the weekend, from the end of the workday on Friday through the beginning of the workday on Monday, will receive 9-hours pay (3-hours per day) at their regular hourly rate of pay and 1-additional hour when a holiday falls on a weekend and 4-hours when a holiday falls on a weekday.

3. Mechanics and Shop Helpers working the night shift will receive a differential of \$0.17 per hour for all hours worked.
 4. Holiday pay for custodians will be at 8-hours for full day holidays and 4-hours for ½-day holidays.
- Wage increases at the start of year 8, year 12 and year 16 represent longevity steps.

The following guidelines are listed for informational purposes and not subject to bargaining:

1. The Parks Maintenance Lead Worker and Forestry Lead Worker will receive \$0.70 per hour above the regular classified rate for each hour worked. Supervisors may assign lead worker duties in situations in which such additional supervision or direction is warranted.
2. Plumber license to be reimbursed at \$300 every 2-years effective in the first pay period in February.
3. Maintenance Specialist or Park Maintenance Workers who perform mechanic duties between 2:30 PM and 10:30 PM will receive an additional \$0.25 per hour for those hours.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report with the exception of Item #7. Motion carried.

Moved by Ald. Zima, seconded by Ald. Wiezbiskie to receive Item #7 and place it on file.

Moved by Ald. Danzinger, seconded by Ald. Scannell to suspend the rules to allow interested parties to speak. Motion carried.

Taku Rosman, 1688 Beaver Dam Drive, spoke against the resolution.

Kim Klein Dorchester, 709 S. Madison Street, asked questions.

Moved by Ald. Zima, seconded by Ald. Thomas DeWane to return to the regular order of business. Motion carried.

A vote was then taken on the motion to receive Item #7 and place it on file.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Tim DeWane, Zima, Steuer, Danzinger, Sladek. Noes: Nicholson, Nennig, Moore, Scannell, Wery. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to suspend the rules for the purpose of taking action on the resolution. Motion carried.

PROTECTION & WELFARE COMMITTEE REPORT

February 3, 2015

The Protection & Welfare Committee, having met on Monday, January 26 2015, considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the notice of the change of agent for Kokoro, LLC at 301 N. Adams Street.
2. To hold until the next meeting the application for a Class "A" Beverage License by Dousman Fuel, Inc. at 606 Dousman. (Currently Express Convenience)
3. To hold until the next meeting the application for a "Class A" Liquor and a Class "A" Beverage License by Thao Pao Lee at 316 S. Broadway.
4. To approve the application for a "Class B" Combination License by BeachMe, LLC at 840 S. Broadway with the approval of the proper authorities. (Currently Richard Craniums, LLC)
5. To approve the application for one of eight available "Class B" Combination License by Prohibition Spirits, LLC at 159 N. Broadway with the approval of the proper authorities, and to consider the adjoining space a tobacco retail store as well as a novelty shop.
6. To deny the application for one of eight available "Class B" Combination License by Kim M. VandenBusch at 702 N. Quincy Street.
7. To approve the request by the owners of St. Brendan's Inn, 234 S. Washington Street, to hold an outdoor event March 14-17, 2015. The approval of the request is subject to complaint.
8. To hold for the Special Meeting on February 12, 2015 the request by Ald. Wery to review the UBER 'ride sharing program' to ensure compliance with the City's taxi ordinance and to amend the ordinance as needed to address this type of service.
9. To approve the amended language in §33.08(2)(e) and to refer back to the City Attorney's Office to look into adding restrictions onto the ordinance.
10. To approve the appeal by Andrew Fifield to the denial of his Operator License application.

Moved by Ald. Scannell, seconded by Ald. Wery to adopt the report with the exception of Items #6 and #9. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Nennig to adopt Item #6.

Moved by Ald. Moore, seconded by Ald. Scannell to suspend the rules to allow interested parties to speak. Motion carried.

The following people spoke in favor of granting the license:

Kim VandenBusch, 1646 Farlin Avenue,

Bob Collins, 235 Nob Hill Lane,

Joseph Christianson

Ted Duprey, 1610 Crooks Street.

The following people spoke against granting the license:

Catherine Jenquin, 480 Beth Court,
Amy Stevenson, 244 Deschane Place,
David Boyce, 123 S. Quincy Street

A petition was also submitted requesting denial of the license.

Moved by Ald. Wiezbiskie, seconded by Ald. Nicholson to return to the regular order of business. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Tim DeWane to refer Item #6 back to the Protection & Welfare Committee.

Roll call: Ayes: Thomas DeWane, Tim DeWane, Zima, Sladek. Noes: Wiezbiskie, Nicholson, Nennig, Moore, Scannell, Wery, Steuer, Danzinger. Motion failed.

Moved by Ald. Moore, seconded by Ald. Scannell to deny a license to Kim VandenBusch.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Nennig, Moore, Scannell, Wery, Steuer, Danzinger, Sladek. Noes: Tim DeWane, Zima. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to adopt Item #9.

Moved by Ald. Zima, seconded by Ald. Scannell to suspend the rule to allow interested parties to speak. Motion carried.

The following people spoke in favor of changing the language:

Joseph Smet, 722 S. Monroe Avenue,
Ryan Baenen, Manager of Downtown Shell,

The following people spoke against changing the language:

Rob Miller, 131 S. VanBuren Street,
Ed Dorff, 3373 Pebble Beach Court,
Christine Fabian, 249 Patricia Lane, Wrightstown, Principle at Howe School,
Social Worker Ann Tobias Becker, 712 Red Cedar Court, DePere,
Executive Director of Elementary Education, Andrea Landwehr, 2668 Lost Dauphin Road, DePere,

School Board Vice President Katie Maloney, 1030 S. Monroe Avenue,
Ann Hartman, 320 S. Jackson Street,

Andy Waterman, 1222 Hastings Street,

Dan Kiernan, 816 S. Madison Street,

Patrick Ryan, 1141 Livingston,

Skip Heverly, 826 S. Madison Street,

Paul Oleksy, 1235 Porlier Street,

David Boyce, 123 S. Quincy Street.

Moved by Ald. Zima, seconded by Ald. Scannell to return to the regular order of business. Motion carried.

Moved by Ald. Zima, seconded by Ald. Wiezbiskie to deny Item #9.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Moore, Zima, Steuer, Danzinger, Sladek. Noes: Nennig, Scannell, Wery. Motion carried.

Moved by Ald. Zima, seconded by Ald. Wiezbiskie to suspend the rules for the purpose of acting on the ordinance. Motion carried.

**REPORT OF THE PROTECTION AND WELFARE COMMITTEE
GRANTING OPERATOR LICENSES
February 3, 2015**

The Protection and Welfare Committee wishes to request that the following applications for Operator Licenses be granted. Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Alberts, Tiffany L
Binsfeld, Crystal L
Clark, Melissa M
Coel, Kasie L
Debeukelar, Travis J
Dorner, Amy J
Griese, Aarin J
Kannenberg, Kyle J
Kunze, Steffanie L
Perez, Cristina
Petermann, Scott D
Peterson, Jeremy J
Plautz, Kayla M
Roznowski, Adam R
Schilling, Cassidy T
Selby, Gena H
Strebel, Mackenzie L
Vega, Tiffany M
Wells, Lauren M
Wertel, Abby R
Yealey, Monica
Zuelke, Jessica J

Moved by Ald. Thomas DeWane, seconded by Ald. Scannell to adopt the report. Motion carried with Ald. Steuer abstaining on the approval of Gena H. Selby and Ald. Danzinger abstaining on the approval of Crystal L. Binsfeld, Cassidy T. Schilling and Jessica J. Zuelke.

RESOLUTIONS

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to suspend the rules for the purpose of adopting Resolutions #10 & #11. Motion carried.

**RESOLUTION ADOPTING THE
UNIVERSITY AVENUE CORRIDOR
BROWNFIELDS REDEVELOPMENT PLAN
(PP 12-02)**

February 3, 2015

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, Green Bay's University Avenue is a vital commercial, cultural, and social link for the east side residents and customers to the City of Green Bay; and

WHEREAS, the City of Green Bay was awarded a United States Environmental Protection Agency Brownfield Area Wide Planning Grant for the planning and encouraging redevelopment of, and reinvestment in, this vital east side commercial corridor; and

WHEREAS, the University Avenue Corridor Brownfields Redevelopment Plan was formed to engage in this planning process by assembling a diverse cross-section of corridor stakeholders, including business owners, corporate executives, property owners, neighborhood residents, lenders, developers, and other key legacy institutions; and

WHEREAS, this planning process included extensive and intensive public outreach and participation, including five public workshops, stakeholder and property owner interviews, institution and cultural focus group meetings, neighborhood meetings, news media coverage, a project web site, and various other forms of information sharing; and

WHEREAS, the Citizen Steering Committee recommended by a unanimous vote the adoption of this plan; and

WHEREAS, the Green Bay Plan Commission on November 10, 2014; the Redevelopment Authority of the City of Green Bay on December 9, 2014; and the Economic Development Authority of the City of Green Bay on December 10, 2014; passed resolutions recommending adoption of this plan; and

WHEREAS, this plan expresses the results of the public process - a community supported vision for the transformation of University Avenue into a signature street with a cohesive identity through an elevated level of complementary land uses, design, aesthetics, livability, functionality, and safety; and

WHEREAS, this plan contains strategies and recommendations intended to grow the economy of the City of Green Bay in a way that is sustainable through strategic reuse of brownfield properties.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Green Bay adopts the University Avenue Corridor Brownfields Redevelopment Plan, a copy of which is available for review in the Clerk's Office.

Adopted February 3, 2015

Approved February 4, 2015

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Thomas DeWane to adopt the resolution.
Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 1826 NORTH IRWIN AVENUE
(ZP 15-01)**

February 3, 2015

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Zoning Petition 15-01 and the recommendation of the Plan Commission on January 26, 2015, the City of Green Bay does authorize a conditional-use permit for a material recovery facility (minor) in a General Commercial (C1) District located on the following described property at 1826 North Irwin Avenue:

ADDN TO GREEN BAY BY THE BUSINESS MENS
ASSN LOT 2 BLK 96 (Tax Parcel No. 21-1490)

Said conditional-use permit shall be granted subject to the following conditions:

- a. Standards set forth in Sec. 13-1607(d), Green Bay Municipal Code.
- b. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional-use permit, including standard site plan review and approval.
- c. The front façade of the building shall be improved to have a consistent durable exterior and complementary colors. Other street-facing façades shall be improved to complement the other portions of the building, which may include painting and/or durable siding.
- d. Any necessary approvals by the Wisconsin Department of Natural Resources (WDNR) regarding the de-manufacturing and disassembly of product.
- e. Compliance with flood-protection standards in Chapter 13-1300, Floodplain Overlay District, Green Bay Municipal Code.
- f. The submitted operations plan.

Adopted February 3, 2015

Approved February 4, 2015

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Thomas DeWane to adopt the resolution.
Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

RESOLUTION IN SUPPORT OF THE FIRST AMENDMENT FREEDOM OF RELIGION

February 3, 2015

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the City of Green Bay supports an open door policy of acceptance of people of all race, creed, religion, sexual orientation or other protected classes; and

WHEREAS, the City of Green Bay is not tolerant of hate speech, bullying, discrimination, exclusion or lack of acceptance of any persons in accordance with state and federal law; and

WHEREAS, federal and state laws change in accordance with modern day social issues, the City of Green Bay recognizes that some current municipal laws and policies may become preempted or outdated, requiring a need to create, repeal, and/or amended municipal laws in accordance with state and federal law; and

WHEREAS, municipal laws and policies are amended, repealed, created and enforced, the City of Green Bay will practice strict scrutiny to protect First Amendment rights; and

WHEREAS, the City of Green Bay shall not impose a law on religious institutions that will limit or censor teachings which are relevant to that institutions faith and not in conformity with state or federal law; and

WHEREAS, the City of Green Bay shall not support an action which would impose a hardship or censorship on the leaders of religious institutions that would cause these leaders fear or threat of retaliation based on their religious teachings; and

WHEREAS, in any case where religious liberty may be limited by a governmental interest, it will only be for a compelling governmental interest and must be done in the least restrictive manner possible in accordance with state and federal law; and

THEREFORE, BE IT RESOLVED, the City of Green Bay supports and promotes individuals and institutions First Amendment Freedom of Religion rights.

Adopted _____, 2015

Approved _____, 2015

Mayor

Clerk

Moved by Ald. Zima, seconded by Ald. Wiezbiskie to receive the resolution and place it on file. Motion carried.

ORDINANCES - FIRST READING

GENERAL ORDINANCE NO. 2-15

AN ORDINANCE AMENDING CHAPTER 13, GREEN BAY MUNICIPAL CODE, TO PERMIT SELF-SERVICE STORAGE UNITS WITHIN THE GENERAL COMMERCIAL (C1) DISTRICT

(TA 15-01)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 13-800, Table 8-3, Green Bay Municipal Code, is amended as follows:

Table 8-3. Permitted Accessory Uses in the Commercial Districts

Use	C1	C2	C3	Dev. Stds.
Uses Accessory to Nonresidential Uses				
Antennas, satellite dishes, and similar equipment	P	P	P	X
Carwash (automatic) when accessory to a service station in compliance with Chapter 13-1600		C	C	X
Music (outdoor live or amplified music)	C	C	C	X
Off-street loading docks	C	P	P	X
Outdoor display of vehicles		P	C	X
Outdoor commercial recreation	C	C	C	X
Outdoor sales, display, and storage	*	**	*	X
Parking (surface)	P	P	P	
Parking (structured)		C	P	X
Parking and storage of vehicles licensed to a business	P	P	P	X
Self-Service Storage Units	C	--	--	X
Signs, as regulated by Chapter 13-2000	P	P	P	
Small Wind Energy Systems	C	C	C	X
Solar Energy Systems	P	P	P	X
Telecommunication facilities	C	C	C	X
Warehousing, incidental repair, or processing necessary to conduct a permitted principal use, conducted within the principal building, not exceeding 40 percent of total floor area		P	P	X
Waste and recycling storage	P	P	P	X

SECTION 2. Section 13-1612, Development Standards – Self-Service Storage Units, Green Bay Municipal Code, is created as follows:

13-1612. Development Standards – Self Service Storage Units.

(a) No unit shall not have an individual external entrance; instead, units shall share common entrance(s) and internal hallways.

(b) The self-service storage use shall not exceed 30 percent of the total floor area of a building.

(c) The approved site plan and building plan shall delineate the extent of the self-storage use.

(d) A principal permitted use shall be established prior to creation of a self-storage accessory use.

SECTION 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin this _____ day of _____, 2015.

APPROVED:

Mayor

ATTEST:

Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to suspend the rules for the purpose of advancing the ordinance to the third reading. Motion carried.
Moved by Ald. Scannell, seconded by Ald. Wiezbiskie to advance the ordinance to the third reading. Motion carried.

GENERAL ORDINANCE NO. 3-15

AN ORDINANCE AMENDING SECTION 33.08(2), GREEN BAY MUNICIPAL CODE, RELATING TO ALCOHOL LICENSING LOCATION RESTRICTIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 33.08(2), Green Bay Municipal Code, is hereby amended to read:

33.08 LICENSE RESTRICTIONS GENERALLY.

(2) RESTRICTIONS ON LOCATION. (Amd. GO 11-00) (Amd. GO 25-10) No alcohol license shall be issued for a premises when any portion of the structure housing the premises would be less than 300 feet from any portion of a structure housing any established public school, parochial school, hospital, or church. This subsection shall not apply to:

(a) any premises licensed as such on March 25, 2000;

(b) any premises licensed as such prior to the occupation within 300 feet thereof of any school building, hospital building, or church building;

(c) any Special Event or Picnic license;

(d) any premises operated under both a Class "B" (Beer) or "Class B" (Liquor) license and a restaurant permit where the principal business conducted is that of a restaurant; or

(e) upon application, any premises that obtains approval from the Common Council. An applicant shall provide an application on a form promulgated by the City Clerk's Office. Thereafter, the City Clerk shall place the application on the next available Protection and Welfare Committee agenda for its review and recommendation. Upon review, the Protection and Welfare Committee shall forward its findings to the City Council for final approval.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this _____ day of _____,
2015.

APPROVED:

Mayor

ATTEST:

Clerk

Moved by Ald. Zima, seconded by Ald. Wiezbiskie to receive the ordinance and place it on file. Motion carried.

ORDINANCES - THIRD READING

GENERAL ORDINANCE NO. 1-15

AN ORDINANCE AMENDING SECTION 29.211, GREEN BAY MUNICIPAL CODE, RELATING TO PENALTIES FOR PARKING VIOLATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Sections 29.211 (1), (2), and (3), Green Bay Municipal Code, are hereby amended as follows:

29.211 PENALTIES FOR PARKING VIOLATIONS. (Amd. GO 50-03) A violation of the parking provisions in this chapter shall result in the following forfeitures and be subject to the following procedures:

(1) Payment or Contest within Five Days. If payment or notice to contest is provided to the Parking Division within five calendar days after the violation, the penalty shall be:

(a) (Amd. GO 39-08) ~~Ten dollars (\$10)~~ **Fifteen dollars (\$15)** for a violation of Sec. 29.202, Green Bay Municipal Code (Class "A" Parking Violations).

(b) ~~Twenty dollars (\$20)~~ **Twenty-five dollars (\$25)** for a violation of Sec. 29.203, Green Bay Municipal Code (Class "B" Parking Violations), or any other parking violation not specifically enumerated in Sections 29.202 through 29.205, Green Bay Municipal Code.

(c) ~~Thirty dollars (\$30)~~ **Thirty-five dollars (\$35)** for a violation of Sec. 29.204, Green Bay Municipal Code (Class "C" Parking Violations).

(d) Sixty dollars (\$60) for a violation of Sec. 29.205, Green Bay Municipal Code (Class "D" Parking Violations).

(e) One Hundred dollars (\$100) for violation of Sec. 29.206, Green Bay Municipal Code (Class "E" Parking Violations).

(2) Payment after First Notice. If the citation is not contested or paid within five days, the Division shall send by first class mail a notice to the registered owner including all relevant information. If the citation is paid or contested after the first notice has been mailed, but before the final notice is mailed, ~~four dollars (\$4)~~ **five dollars (\$5)** shall be added to the amount due pursuant to subsection (1).

(3) Payment after Final Notice. If the citation is not contested or paid within 21 days of the date of the citation, the Division shall, by first class mail, send a final notice to the registered owner of the vehicle including all relevant information. If the citation is paid or contested after the final notice is mailed, ~~eleven dollars (\$11)~~ **fifteen dollars (\$15)** shall be added to the amount due pursuant to subsection (1).

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 3rd day of February, 2015.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Wery, seconded by Ald. Scannell to adopt the ordinance.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Steuer, Danzinger, Sladek. Noes: Zima. Motion carried.

ZONING ORDINANCE NO. 1-15

AN ORDINANCE ZONING CERTAIN LAND GENERALLY LOCATED NORTH OF FINGER ROAD, WEST OF NORTHVIEW ROAD, SOUTH OF CATALINA DRIVE, AND EAST OF ERIE ROAD AS A PLANNED UNIT DEVELOPMENT DISTRICT (ZP 14-37)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 13.01, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development (PUD) District on the following described property:

BEGINNING AT THE WEST 1/4 CORNER OF SECTION 1, T23N-R21E; THENCE N00°26'02"E, 635.02 FEET ALONG THE WEST LINE OF THE SW1/4-NW1/4 OF SAID SECTION 1, THENCE S89°32'54"E, 983.85 FEET; THENCE N00°26'04"E, 690.00 FEET; THENCE S89°32'54"E, 1,664.20 FEET; THENCE S00°07'58"W, 1,079.77 FEET; THENCE S89°46'12"E, 400.00 FEET; THENCE N00°08'01"E, 180.00 FEET; THENCE N89°46'07"W, 100.00 FEET; THENCE N00°09'51"W, 239.43 FEET; THENCE N81°16'35"E, 552.07 FEET; THENCE N08°43'25"W, 253.00 FEET; THENCE N89°45'35"E, 524.42 FEET; THENCE S00°00'09"W, 994.57 FEET; THENCE S00°04'03"E, 1,770.48 FEET; THENCE S89°55'51"W, 1,004.06 FEET; THENCE N00°07'58"E, 434.18 FEET; THENCE S89°55'51"W, 334.10 FEET; THENCE S00°07'58"W, 916.33 FEET; THENCE N89°32'54"W, 604.18 FEET; THENCE S00°05'12"W, 371.43 FEET; THENCE N87°22'26"W, 303.29 FEET; THENCE N00°07'04"E, 329.98 FEET; THENCE N89°05'24"W, 169.93 FEET; THENCE S00°07'04"W, 329.98 FEET; THENCE N87°23'43"W, 251.57 FEET; THENCE N00°28'38"E, 305.90 FEET; THENCE N88°04'59"W, 287.60 FEET; THENCE N08°57'38"W, 465.99 FEET; THENCE N77°25'18"W, 248.99 FEET; THENCE S29°15'01"E, 163.87 FEET; THENCE 65.32 FEET ALONG THE ARC OF A 55 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS S26°43'13"W, 61.53 FEET; THENCE N78°53'21"W, 382.13 FEET; THENCE 129.88 FEET ALONG THE ARC OF A 55 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS N52°44'23"W, 101.74 FEET; THENCE N30°23'35"W, 180.30 FEET; THENCE N15°59'51"W, 397.37 FEET; THENCE N88°55'28"W, 119.75 FEET TO THE WEST LINE OF THE

NW1/4–SW1/4 OF SECTION 1, T23N- R21E; THENCE N00°06'09"E,
1,304.09 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

Parcel Numbers: 21-10, 21-11, 21-11-1, 21-12, 21-12-1, 21-13-1, 21-16-
1-5,
21-17, 21-20, 21-21-A, 21-4

Parcel contains 11,471,961.6 square feet / 263.36 acres
Parcel is subject to easements and restrictions of record

SECTION 2. This ordinance is enacted pursuant to Wis. Statutes Sections 62.23 and 66.1027. Its purpose is to allow the optional development and redevelopment of land in Green Bay consistent with the design principles of traditional neighborhoods.

- A. INTENT. The intent the PUD is to develop the subject area with elements of a traditional neighborhood, these themes include:
1. Is compact and is designed for the human scale.
 2. Provides a mix of uses, including residential, commercial, civic, and open space uses in close proximity to one another within the neighborhood.
 3. Provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes.
 4. Incorporates a system of relatively narrow, interconnected streets with sidewalks, as well as access to bicycle and transit routes; offering multiple routes for motorists, pedestrians, and bicyclists and provides for the connections of those streets to existing and future developments.
 5. Incorporates significant environmental features into the design.
 6. Is consistent with the City of Green Bay Comprehensive Plan.
- B. APPLICABILITY. This ordinance applies as an alternative set of standards for development or redevelopment on sites of 5 acres or more if it is within the Urban Service or Urban Expansion Districts and is contiguous to existing development and 15 acres or more if it is within the Urban Service or Urban Expansion Districts and is noncontiguous to existing development.
- C. INTERPRETATION. Development shall be planned, reviewed, and carried out in conformance with all municipal, state, and other laws and regulations. However, if there is a conflict between the provisions of this subchapter and other provisions of the zoning or subdivision sections of the Green Bay Municipal Code, this subchapter shall take precedence.

SECTION 3. Pursuant to Section 13-1900, et seq., Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. PERMITTED, CONDITIONAL, AND ACCESSORY USES. The only uses that may be established and/or maintained on the subject property, in conformance with Exhibit D – Grandview Place Land Use Plan, are as follows:
1. Permitted Uses: In order to achieve the proximity necessary to make neighborhoods walkable, it is important to mix land uses. A traditional neighborhood development shall consist of the following components: a residential area, a mixed-use area, and open space, as specified below.

- a. Residential areas: The PUD shall include a residential area in which the following uses are permitted.
 - (1) Single-family detached dwellings.
 - (2) Multifamily dwellings, including senior housing, at a density of at least 10 and no more than 20 units per net acre.
 - (3) Required mix. A minimum of two housing types from this list must be present in the PUD. Single-family detached dwellings shall constitute a maximum of 70 percent of the dwelling units.
 - b. Mixed-use areas: The PUD shall include a mixed use area containing commercial, civic, residential, and open space uses as identified below. The total land area devoted to nonresidential development, including ground floor commercial or office uses, civic buildings, and parking areas, shall not exceed 25 percent of the gross acreage of the PUD.
 - (1) Commercial Uses:
 - A. Food services (grocery stores, butcher shops, bakeries, and other specialty food stores, ice cream, candy shops, and restaurants, not including bars, taverns, and similar uses).
 - B. General retail.
 - C. Services, such as daycare centers, music, dance or exercise studios, offices, including professional and medical offices, barber, hair salon, dry cleaning, repairs of small goods, such as shoes, electronics, or similar items.
 - D. Accommodations, including bed and breakfast establishments, small hotel, or inn.
 - (2) Residential uses, including those listed above, with the exception of single-family detached dwellings and also including the following:
 - A. Residential units located above or to the rear of commercial uses.
 - B. Live-work units that combine a residence and workplace.
 - (3) Civic or institutional uses, including the following:
 - A. Municipal offices, fire and police stations, libraries, museums, community meeting facilities, and post offices.
 - B. Transit shelters.
 - C. Places of worship.
 - D. Educational facilities.
 - (4) Open space uses:
 - A. Central square.
 - B. Neighborhood park.
 - C. Playground.
 - D. Natural/open space area.
2. Conditional Uses: The following uses may be established with approval of a conditional use permit:
- a. Single-family attached dwellings

- b. Community living arrangements and assisted living facilities. The density and housing type shall be determined based on the findings for the conditional-use permit.
 - c. Commercial uses, identified above, greater than 10,000 square feet.
 - d. Commercial uses with drive-through facilities.
- 3. Accessory Uses: The only accessory uses that may be established and/or maintained on the subject property, in conformance with permitted uses listed above, are as follows:
 - a. Residential areas: Chapter 13-600 Section 2, Green Bay Municipal Code.
 - b. Mixed-use areas: Chapter 13-700 Section 2 uses and standards listed under the Neighborhood Commercial (NC) District, Green Bay Municipal Code.
- 4. Open Space:
 - a. At least 20 percent of the gross acreage of the PUD shall be designated as open space, which may include undevelopable areas, such as steep slopes and wetlands and stormwater detention and retention basins. Open space areas may include:
 - (1) Environmental corridors, greenways.
 - (2) Protected natural areas.
 - (3) Neighborhood and community parks, squares, plazas, and playing fields.
 - (4) Streams, ponds, and other water bodies.
 - (5) Open spaces do not include required setback areas and rights-of-way but may include (1)-(4) above.
 - b. Common open space. At least 25 percent of the open space area must be common open space available for public use. At least 90 percent of all dwellings shall be located within one-half mile of such common open space.
 - c. Conservancy and open space areas shall be dedicated to the City at the time of platting.

B. DIMENSIONAL AND LOT AREA REQUIREMENTS. The following dimensional and area requirements shall apply to all lots within the development based on the land use plan listed in Exhibit D.

- 1. Block and lot size diversity. Street layouts should provide for perimeter blocks that are generally in the range of 200-400 feet deep by 400-800 feet long. A variety of lot sizes should be provided to facilitate housing diversity and choice and meet the projected requirements of people with different housing needs.
- 2. Lot widths. Lot widths should create a relatively symmetrical street cross-section that reinforces the public space of the street as a simple, unified public space. Similar lot sizes and housing types should generally be located on opposite sides of a street.

3. Dimensional Standards.

	Min. lot size	Min. lot width	Front yard setback k	Rear yard setback a	Side yard setback b, e	Height d	Max Impervious Surface
			Min - Max	Minimum	Minimum	Min - Max	
Single-family detached	5,000 SF	50	10 – 25 35	25	6 (two) or 10 (one – ZLL)	1 – 2.5 stories / 35'	60%
Two-family/attached residences	2,000 SF/unit	25 per unit	10 – 25	25	10 (end units)	1 – 2.5 stories / 35'	60%
Multifamily residences	1,500/unit, min 4,000 SF	80	5 - 25	15	10	2-4 stories / 45'	70%
Nonresidential or mixed use	5,000	50	0 - 10	n/a	6 ^c	2-4 stories / 45'	80%
Civic (institutional, rec.) buildings	5,000	50	0 - 25	n/a	10	2-4 stories / 45'	80%

Notes:

- Where an alley is present, half of the alley's right-of-way width shall be counted toward the rear setback.
- A minimum side yard setback of 6 feet shall be provided for single-family detached dwellings or a single side yard of 10 feet for semi-detached single-family dwellings. A minimum side yard setback of 10 feet shall be provided for end-unit attached dwellings. For semi-detached single-family dwellings, a reciprocal access easement shall be recorded for both lots. All semi-detached single-family dwellings, townhouses, and other attached dwellings shall have pedestrian access to the rear yard through means other than the principal structure.
- No side yards are required along interior lot lines, except as otherwise specified in the building code, except that if walls of structures facing such interior lot lines contain windows or other openings, yards of not less than six (6) feet shall be provided. Side and rear yards of at least

six (6) feet shall be required when a nonresidential use adjoins a side yard of a residential property.

- d. See Chapter 13-1429 (1), Green Bay Municipal Code, for exceptions to maximum height.
- e. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street. If no structure exists on the adjacent property, no less than half of the front setback applies.
- f. Multifamily and commercial buildings or a portion of such buildings shall be oriented to the public right of way with parking located in the rear or side yard to ensure the uses are integrated into the block structure.
- ~~g. Townhomes must be rear or alley loaded with no driveways accessing a public street.~~
- g. Single family detached lots greater than 7,500 square feet shall have a maximum impervious surface coverage of 50%.

4. Standards for garages and other accessory structures: Garages may be placed on a single-family detached residential lot either within the principal building or an accessory building, meeting the following requirements:

- a. Attached accessory structures shall be consider attached and integral part of the principal structure when it is connected by an enclosed passage way. Such structures are subject to Section 13-615(b), Green Bay Municipal Code.
- b. Detached accessory structures shall be permitted in residential districts in accordance with the Section 13-615(c), Green Bay Municipal Code.
~~An attached garage shall be recessed a distance of at least 5 feet behind the primary facade of the house.~~
- c. All garages shall be set back 20' from the public right-of-way.**

C. ARCHITECTURE STANDARDS. A variety of architectural and design features and building materials is encouraged to give each building or group of buildings a distinct character, as well as sensitivity to the surrounding context.

- 1. Commercial Use building height. To create a visually unified streetwall, buildings should be no more than 30 percent taller or shorter than the average building height on the block.
- 2. Entries and facades.
 - a. The architectural features, materials, and the articulation of a facade of a building shall be continued on all sides visible from a public street.
 - b. The front or principal facade of the principal building on any lot shall face a public street and shall not be oriented to face directly toward a parking lot.
 - c. Buildings of more than 30 feet in width shall be divided into smaller regular increments through articulation of the façade. This can be

achieved through variations in materials, detailing, roof lines, and elements, such as arcades, awnings, windows, and balconies.

- d. The ground level of any multi-story, commercial, and mixed-use structure shall be visually distinct from the upper stories through the use of an intermediate cornice line, sign band, awning or arcade, or a change in building materials, texture, or detailing.
 - e. Porches, pent roofs, roof overhangs, hooded front doors, or similar architectural elements shall be used to define the front entrance to all residences or multifamily buildings.
 - f. No single family detached structure shall have the same front façade as an adjoining parcel.
3. Residential uses at street level should generally be set back far enough from the street to provide a private yard area between the sidewalk and the front door. Landscaping, steps, porches, grade changes, and low ornamental fences or walls may be used to provide increased privacy and livability for first floor units. A list of permitted residential architectural styles is listed under exhibit A.
 4. For commercial or mixed-use buildings, a minimum of 30 percent of the front facade on the ground floor shall be transparent, consisting of window or door openings allowing views into and out of the interior.
 5. Additions to existing structures shall maintain setbacks, building proportions, roof and cornice lines, façade divisions, rhythm and proportion of openings, building materials, and colors that are similar to and compatible with the existing structure.
 6. Materials: A 30% mix of materials is required for the front facade of residential structures. Acceptable building façade materials include:
 - a. Concrete (including precast concrete with prior approval of sample)
 - b. Glass
 - c. Masonry (brick as well as decorative block with prior approval of block sample)
 - d. Metals
 - e. Stone
 - f. Tile
 - g. Vinyl
 - h. Wood with prior approval of sample
 - i. Other materials, such as cementitious sidings, stucco and polyurethane or PVC detailing, masonry veneer shall only begin at the first floor exterior window sill plane and continue to the roofline.
 7. Commercial street façade should have clear distinction between the “storefront” on the first floor and the floors above for the mixed use commercial and light industrial uses of this district.
 8. Any signage, lighting and awnings must be integrated into the design.
 9. Second street facades (these will occur on corner lots and lots adjacent to dedicated park space) should be developed to a similar level of detail as the “address” elevation, though the overall emphasis of the “address” elevation should be greater than the second street facades.

10. Functional entries are allowed and encouraged on second street facades.
11. Side façade at adjoining property lines may be “blank” and must meet fire separation codes.
12. Rear façade should also use good design principles.
 - a. Entries should be properly emphasized to match use of entry (customer entry more emphasized than a “receiving” entry).
 - b. Some differentiation should occur between the first floor and the upper floors.
 - c. Rear façade should correlate to the front elevation.

D. SITE DESIGN STANDARDS.

1. Lighting. Street lighting shall be provided on both sides of all streets at intervals of no greater than 75 feet. Generally, smaller lights, as opposed to fewer high-intensity lights, should be used. Street lighting design shall meet the minimum standards developed by the Department of Public Works. Exterior lighting shall be directed downward in order to reduce glare onto adjacent properties, per Chapter 5, General Regulations.
2. Exterior signage. Sign number, size, height, and location in the PUD shall meet the requirements of the Neighborhood Center District. A comprehensive sign program shall be developed for the entire PUD that establishes a uniform sign theme. Signs shall share a common palette of sizes, shapes, materials, and lettering styles.
3. Landscaping and screening standards.
 - a. Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general, larger well-placed contiguous planting areas shall be preferred to smaller disconnected areas.
 - b. Height and opacity. Where screening is required by this ordinance, it shall be at least 3 feet in height unless otherwise specified. Required screening shall be at least 50 percent opaque throughout the year.
 - c. Components. Required screening shall be satisfied by one or a combination of the following:
 - (1) A decorative fence not less than 50 percent opaque behind a continuous landscaped area.
 - (2) A masonry wall.
 - (3) A hedge.
 - (4) Mixed use and commercial building foundation landscaping shall be in accordance with Section 13-1823, Green Bay Municipal Code.
4. Street trees. Street trees shall be required in accordance with Chapter 14, Green Bay Municipal Code. Trees should preferably be located within a planting strip between the sidewalk and the curb, within a landscaped median strip, or in tree wells installed in pavement or concrete.

- E. PARKING.** Parking areas for shared or community use should be encouraged. In addition:

1. In the mixed-use area, any parking lot shall be located at the rear or side of a building. If located at the side, screening shall be provided, as specified in Chapter 13-1432, Green Bay Municipal Code.
2. A parking lot or parking garage shall not be located adjacent to or opposite a street intersection.
3. In the mixed-use area, a commercial use shall provide one parking space for every 300 square feet of gross floor area or portion thereof. Parking may be provided in shared or community lots within 1,000 feet of the site.
4. Shared parking and cross access easements are highly encouraged to better facilitate movement throughout the development area.
5. In the mixed-use and residential areas, 1.5 off-street parking spaces shall be provided for each dwelling unit, with the exception of senior housing and secondary dwelling units, which shall provide one space per unit, and live-work units, which shall provide two spaces per unit.
6. On-street parking directly adjacent to a building may apply toward the minimum parking requirements for that building.
7. Surface parking lots or garages shall provide at least one bicycle parking space for every 10 motor vehicle parking spaces. Bicycle parking shall consist of a rack of acceptable design in a well-lit location, preferably sheltered.
8. Service access. Direct access to service and loading dock areas for service vehicles should be provided, while avoiding movement through parking areas to the greatest extent possible. Alleys may be used to provide service access.
9. Paving. Reduction of impervious surfaces through the use of interlocking pavers is strongly encouraged for remote parking lots or those used infrequently.
10. A preliminary development site and parking plan is included as Exhibits G-H.

F. LANDSCAPING AND PARKING MAINTENANCE. All parking and loading areas fronting public streets and sidewalks shall be landscaped in accordance with the requirements of Chapter 13-1800, Green Bay Municipal Code. All parking and loading areas abutting residential districts shall be landscaped in accordance with Chapter 13-1800, Green Bay Municipal Code. Parking area interior landscaping shall conform to the requirements of Chapter 13-1800, Green Bay Municipal Code. Parking area landscaping can include turf grass, native grasses, or other perennial flowering plants, vines, shrubs, or trees. Such spaces may also include architectural features, such as benches, kiosks, or bicycle parking.

G. LIGHTING. Lighting throughout the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-500 and further regulated as follows:

1. Parking lot lighting shall consist of sharp cut-off fixtures. Poles shall not exceed twenty-five (25') feet in

height.

2. Pedestrian lighting for walkways shall not exceed sixteen (16') feet overall measured from ground level.
3. Lighting plan indicating fixtures, placement, and height shall be included as part of the site plan submittal process and approved by the Community Development Review Team (CDRT).

H. STORM WATER MANAGEMENT AND GRADING PLAN. The design and development of the PUD should minimize off-site stormwater runoff, promote onsite filtration, and minimize the discharge of pollutants to ground and surface water. Natural topography and existing land cover should be maintained/protected to the maximum extent practicable. New development and redevelopment shall meet the requirements of Chapter 30, Green Bay Municipal Code. A conceptual stormwater management plan and grading plan meeting the standards established by the City's Department of Public Works, Brown County, and the State of Wisconsin shall be submitted to and approved by the City prior to the issuance of building permits and shall be approved as part of the platting process in accordance with the phasing Exhibit F listed above.

A complete stormwater management plan for proposed Phase 1 listed on Exhibit F shall be submitted in accordance with the requirements of Chapter 30, Green Bay Municipal Code. A complete stormwater management plan for the remaining development area listed on Exhibit F shall be submitted in accordance with the requirements of Chapter 30, Green Bay Municipal Code, prior to any further platting or land divisions.

Any proposed amendments to the land use plan within the PUD described in Exhibit D as a result of the complete stormwater management plan shall be approved according to Section 3.D of this ordinance.

- I. REFUSE AND MECHANICALS. Screening of refuse materials and mechanicals shall meet the standards as set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-1800.
- J. ACCESS AND CIRCULATION STANDARDS. Access and circulation for automobile and pedestrian traffic established through permanent access easements, and in substantial conformity with what is depicted on the attached Exhibit E. The attached circulation standards allow for multiple modes of transportation. They provide functional and visual links within the residential, mixed-use, and open space areas of the PUD and provide multiple connections to existing and proposed external development. The circulation standards provide for adequate traffic capacity and multiple connections to pedestrian and bicycle routes, including off-street bicycle or multi-use paths. The standards also control through traffic, limit lot access to streets of lower traffic volumes, and promote safe and efficient mobility

through the PUD.

1. Pedestrian circulation. Convenient pedestrian circulation systems that minimize pedestrian-motor vehicle conflicts shall be provided continuously throughout the PUD. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced. All streets, except for alleys, shall be bordered by sidewalks on both sides in accordance with the specifications listed in Table 14-2. The following provisions also apply:
 - a. Sidewalks in mixed use areas. Clear and well-lighted walkways at least 5 feet in width shall connect all building entrances to the adjacent public sidewalk and associated parking areas.
 - b. Disabled accessibility. Sidewalks shall comply with the applicable requirements of the Americans with Disabilities Act.
 - c. Crosswalks. Intersections of sidewalks with streets shall be designed with clearly defined edges. Crosswalks shall be well-lit and clearly marked with contrasting paving material at the edges or with striping.
2. Bicycle Circulation. Bicycle circulation shall be accommodated on streets and/or dedicated bicycle paths. Any existing or planned bicycle routes through the site shall be preserved or developed. Bicycle facilities may include off-street paths (generally shared with pedestrians and other non-motorized uses) and/or separate striped 4-foot bicycle lanes on streets. If a bicycle lane is combined with a parking lane, the combined width should be 14 feet.
3. Transit access. Where public transit service is available or planned, convenient access to transit stops shall be provided. Transit shelters, where provided, shall be well-lighted and placed in highly visible locations that provide security through surveillance.
4. Motor vehicle circulation. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features, such as “queuing streets,” curb extensions, traffic circles, and medians, may be used to encourage slow traffic speeds.
5. Street hierarchy. Each street within a PUD shall be classified according to the following hierarchy:
 - a. Arterial streets should not bisect a PUD but may border a PUD.
 - b. Collector. This street provides access to mixed-use areas and is also part of the City’s major street network.
 - c. Subcollector. This street provides primary access to residential properties and connects streets of higher and lower function, and it may provide access to community facilities, such as schools.
 - d. Local street. This street provides primary access to residential properties.
 - e. Alley. This street provides primary access to residential garages and commercial parking areas. It is typically used where street frontages are narrow, where the primary street width is narrow and limited on-

street parking is provided, or to provide delivery access and access to commercial parking.

6. Street Design. The following table is a guide to street design in the PUD. Street and right-of-way widths shall be reviewed by City staff as part of the concept plan review and shall be approved as part of the platting process in accordance with the phasing exhibit listed above.
7. Concrete sidewalks. Concrete sidewalks shall be installed on both sides of all public streets within this PUD. Sidewalks shall be installed at the time the lots are developed and prior to receiving an occupancy permit or as directed by the Common Council of the City of Green Bay. Once a block is built up with 50% of structures, the Common Council shall order in the sidewalks to complete the block network.

	Collector	Sub-Collector	Local Street	Alley
Typical Average Daily Trips	750 or more	250 – 750	Less than 250	N/A
Right-of-way	76-88 feet	48 -72 feet	50 - 60 feet	12-16 feet
Auto travel lanes	2 or 3 @ 12 feet	2 @ 10 feet	2 @ 10'	2 @ 8 feet or 1 @ 12 feet (1-way)
Bicycle lanes (may be required where needed)	6 feet next to parking lane	4 feet without parking or 6 feet next to parking lane	None	None
Parking	Both sides, 9 feet	One or both sides, 9 feet	One or both sides, 9 feet	None (access to drives and garages)
Curb and gutter	Required	Required	Required	Not required
Planting strips	Both sides, min. 6 feet	Both sides, min. 6 feet	Both sides, min. 6 feet	None
Sidewalks	Both sides @ 5 feet min.	Both sides @ 5 feet	Both sides @ 5 feet	None

- K. SUBDIVISION OF LAND. If the PUD involves the subdivision of land as defined in the subdivision ordinance, the applicant shall submit all required land division documents in accordance with the requirements of the Chapter 14, Green Bay Municipal Code, and Wisconsin Statutes Chapter 236. If there is a conflict between the design standards of the subdivision ordinance and the design guidelines of this ordinance, the provisions of this ordinance shall apply.
- L. OWNERSHIP AND MAINTENANCE OF PUBLIC SPACE. Provisions shall be made for the ownership and maintenance of streets, squares, parks, open space, and other public spaces in a PUD by dedication to the City or management by an entity, such as a homeowners association or neighborhood association approved by the Common Council.
- M. PROPOSED SCHEDULE OF DEVELOPMENT PHASING. The section allows for phased construction with the knowledge that subsequent phases will be developed consistently with earlier phases and under the review of the Planning Commission in accordance with the provisions of Chapter 13, Green Bay Municipal Code. Phasing of this PUD shall be permitted, provided that each individual phase is designed and developed to exist as an independent unit and that the construction and improvement of common open space and site amenities shown on the development plan proceeds at the same rate as the construction of dwellings and other permitted land uses. Any violation of

this provision shall authorize the City Council to hold a public hearing to review the status of the PUD and impose any remedies it deems appropriate, including, but not limited to, revocation of permits, issuance of construction orders, or issuance of citations for failure to comply with such orders.

The applicant must submit to the Planning Department for review a Final Development Plan for each phase before development on it can begin. The Final Development Plan for each phase must include a written summary describing the following information.

1. Proposed subdivisions of land, including total number and type of dwelling units.
2. Planned utility improvements plan showing underground and above ground lines and structures for sanitary sewers, electricity, gas, telecommunications, etc.
3. A site plan, including proposed topographic contours at 2-foot intervals, with the following information:
 - a. The location existing and if know commercial and mixed use structures that will remain, with height and gross floor area noted.
 - b. The location and function of proposed open space.
 - c. The circulation system indicating pedestrian, bicycle, and motor vehicle movement systems, including existing and proposed public streets or rights of way; transit stops; easements or other reservations of land on the site; the location and dimensions of existing and proposed curb cuts, off street parking, and loading spaces, including service access for receiving and trash removal; sidewalks and other walkways.
 - d. Location of all trees, shrubs, and groundcover proposed or existing to remain on the site.
 - e. The location of street and pedestrian lighting, including lamp intensity and height.
 - f. If known, detailed elevations of all proposed commercial buildings and typical elevations of residential buildings. Scaled elevations should identify all signs; building materials; the location, height, and material for screening walls and fences, including outdoor trash storage areas; electrical, mechanical, and gas metering equipment; storage areas for trash and recyclable materials; and rooftop equipment.
4. Stormwater Management Plan as required by Chapter 30, Green Bay Municipal Code.
5. Ownership and maintenance of public space (see Section 3.N of this ordinance)
6. Any other information deemed necessary by the Zoning Administrator in order to evaluate plans.

N. AMENDMENTS TO PLANNED UNIT DEVELOPMENT. Requested amendments to the PUD or to individual phases of the PUD as subject to the following:

1. Minor changes. Minor changes to the final plan adopted by the Plan Commission may be approved by the Planning Department, provided that the changes do not involve:
 - a. Increases or decreases of less than ten percent (10%) in the floor area of structures or number of dwelling units or the area designated as open space.
 - b. Changes to the street layout or circulation pattern that would eliminate a street or path segment or an intersection.
 - c. Changes to primary architectural style(s) as shown.
 - d. Alteration of any conditions attached or modifications to the conceptual plan made by the Common Council.
 - e. Any other changes that, in the opinion of planning staff, depart from the original concept or intent of the conceptual plan.
2. Major changes. A major change to a final plan shall require approval by a majority vote of all members of the Common Council.

O. FINAL SITE PLAN APPROVAL.

1. Following the adoption of this ordinance and prior to the issuance of building permits, the petitioner for single-family attached dwellings, ~~including duplexes, townhouses, rowhouses~~ shall receive approval of final site plans from the CDRT (Community Development Review Team).
2. Following the adoption of this ordinance and prior to the issuance of building permits, the petitioner for multifamily dwellings shall receive approval of final site plans from the Plan Commission.
3. **Following the adoption of this ordinance and prior to the issuance of building permits, the petitioner for duplexes, townhouses, and rowhouses shall receive approval of final site plans from the CDRT and Plan Commission as part of the conditional-use permit.**

SECTION 4. This PUD shall be recorded with any future plats or land divisions.

SECTION 5. The provisions of this ordinance, including, without limitation, the granting of a conditional-use permit and all obligations, conditions, restrictions and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 6. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit, and the plans identified therein, had been set forth in its entirety in the body of this ordinance.

SECTION 7. Unless stated above, the development must comply with all other regulations of the Green Bay Municipal Code.

SECTION 8. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 9. This ordinance supersedes any discrepancies between the standards herein and the Grandview Place Development Plan Report listed in exhibit A.

SECTION 10. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 11. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 12. The approval of this zoning is subject to:

- a. Road realignment for the proposed Rocky Arbor Trail listed in Exhibit J.
- b. Garage setback reduced from 10 feet to 5 feet.
- c. Townhomes permitted as a conditional-use.

SECTION 13. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13.204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2015.

APPROVED:

Mayor

ATTEST:

Clerk

01/20/15

Attachments:

Site Map

Exhibit A - Grandview Place Development Plan

Exhibit B - Grandview Place Natural Resources Inventory

Exhibit C - Grandview Place Existing Site Topography Map

Exhibit D - Grandview Place land Use Map

Exhibit E - Grandview Place Circulation Plan (sidewalks required)

Exhibit F - Grandview Place Phasing Map

Exhibit G - Grandview Place Development Site

Exhibit H - Grandview Place Development Site

Exhibit I - Grandview Place Conceptual Stormwater Management Plan

Exhibit J - Road realignment for proposed Rocky Arbor Trail

Exhibit K - Map depicting area where garages shall not protrude past the front façade of a home or single-family lots

Moved by Ald. Zima, seconded by Ald. Wery to hold the ordinance.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Wery, Zima, Steuer, Danzinger. Noes: Nennig, Moore, Scannell, Sladek. Motion carried.

Moved by Ald. Danzinger, seconded by Ald. Scannell to refer the ordinance to Planning for clarification.

Roll call: Ayes: Moore, Scannell, Steuer, Danzinger, Sladek. Noes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Wery, Zima. Motion failed.

Moved by Ald. Zima, seconded by Ald. Thomas DeWane to refer the ordinance to the Advisory Committee for clarification. Motion carried.

Moved by Ald. Zima, seconded by Ald. Scannell to adjourn at 12:07 A.M. Motion carried.

Kris A. Teske
Green Bay City Clerk